

SEP 20 2005

For The Northern Mariana Islands
By _____
(Deputy Clerk)

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UNITED STATES DISTRICT COURT
NORTHERN MARIANA ISLANDS

UNITED STATES OF AMERICA,)	Criminal Case No. 03-00001
)	
Plaintiff,)	
)	
v.)	GOVERNMENT'S MOTION FOR
)	SUBSTANTIAL ASSISTANCE
LIONEL BORJA,)	DEPARTURE UNDER U.S.S.G. § 5K1.1
)	AND 18 U.S.C. § 3553(e)
Defendant.)	

COMES NOW the plaintiff, UNITED STATES OF AMERICA, by and through its counsel, Leonardo M. Rapadas, United States Attorney, and Timothy E. Moran, Assistant United States Attorney, and hereby moves the Court, pursuant to United States Sentencing Guidelines § 5K1.1 and 18 U.S.C. § 3553(e), to depart from the Sentencing Guidelines and the statutory mandatory minimum consecutive sentence, based on the defendant's substantial assistance to the Government.

Pursuant to ¶ 6(a) of the Plea Agreement between the Government and the defendant, if the Court grants this motion, the applicable advisory Guidelines level is 26 (63 to 78 months). The Government further requests that the defendant be sentenced to a term in the bottom of that range, **63 months**.

LEONARDO M. RAPADAS
United States Attorney
Districts of Guam and the NMI

Date:

9/20/05

By:


TIMOTHY E. MORAN
Assistant United States Attorney